

REMARKS

Claims 1-35 are now pending in the application. Claim 28-35 are new. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kimbrough (US 6,781,981). This rejection is respectfully traversed.

Applicant has amended claim 1. Claim 1 recites, among other limitations, "a packet switched backplane coupling the switch node and the plurality of payload nodes, wherein the data from the DS3 signal, as the packet-based signal, is selectively distributed to one or more of the plurality of payload nodes by the packet switched backplane." Applicant submits that Kimbrough fails to teach or suggest the above limitations. Kimbrough at best appears to disclose a packet data bus (68), rather than a packet switched backplane of claim 1. The packet data bus (68) of Kimbrough is a conventional parallel bus coupled with the digital data uplink card (91) and the voice/DSL line-cards (52). Every packet is delivered to every "54 pin connector" that is coupled with the packet data bus (68). See Fig. 2 of Kimbrough. Each line-card (52) receives all the data transferred on the packet data bus (68).

Claim 1 is directed to a packet switched backplane that selectively distribute data to one or more of the plurality of payload nodes. The packet data is not delivered to every payload node, but only to the intended destination payload nodes.

In view of the foregoing, Applicant submits that claim 1 and its dependent claims 2-9 define over the art cited by the Examiner. Claim 10 and its dependent claims 11-18, as well as claim 19 and its dependent claims 20-27, define over the art cited by the Examiner for one or more reasons set forth regarding claim 1.

NEW CLAIMS

Claims 28-35 are new. No new matter has been added. Applicant submits that each of the new claims, in addition to reasons set forth regarding claim 1, defines over the art cited by the Examiner for its additional limitations.

Specifically, claim 28 is directed to a packet switched backplane that selectively distribute data received from a first packet interface to one or more of the second packet based interfaces. Applicant further submits that Kimbrough fails to teach or suggest first and second packet based interfaces coupled with the packet switched backplane. Because Kimbrough at best appears directed to a data bus, one of ordinary skill in the art cannot obtain an interface for switching packets based on the teaching of Kimbrough.

Claim 31 is directed to dedicated links between the first packet based interfaces and the second packet based interfaces. In contrast, Kimbrough at best appears to disclose a shared data bus.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests

that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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